



Lower Limber Jim Culvert Replacement

CATEGORICAL EXCLUSION REVIEW

PROPOSAL INFORMATION

Proposal Name: Lower Limber Jim Culvert Replacement

Proposal Date: 1/7/2020

Proponent Name: Joe Platz

Line Officer: Bill Gamble

District: La Grande

County(ies): Union

Anticipated Implementation: July 2021

Signing Authority: District Ranger

PALS Tracking #: 59155

Project File: C:\Users\briannacarollo\Box\01.brianna.carollo
Workspace\lag2020SmallProjects\Lower Limber Jim Culvert Replacement

General Location: 5125 Road, Limber Jim Creek, 0.2 miles upstream from the confluence with the Grande Ronde River

Applicable Management Areas: N/A Private Land

Legal Description: T5S R36E Section 32

Watersheds: Limber Jim Creek Subwatershed

APPLICABLE CATEGORY/IES

This proposal is categorically excluded from documentation in an EA or EIS because it fits the following category, pending extraordinary circumstance determinations:

Applicable Category: 36 CFR 220.6(e)(18) (DM Required)

(18) Restoring wetlands, streams, riparian areas or other water bodies by removing, replacing, or modifying water control structures such as, but not limited to, dams, levees, dikes, ditches, culverts, pipes, drainage tiles, valves, gates, and fencing, to allow waters to flow into natural channels and floodplains and restore natural flow regimes to the extent practicable where valid existing rights or special use authorizations are not unilaterally altered or canceled. Examples include but are not limited to:

(ii) Installing a newly-designed structure that replaces an existing culvert to improve aquatic organism passage and prevent resource and property damage where the road or trail maintenance level does not change;

This category is applicable for this project because we plan to replace the existing culvert with a newly designed aquatic organism passage structure that meets current Oregon Department of Fish and Wildlife standards.



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PROPOSAL

A newly designed Limber Jim Creek crossing on the 5125 road 0.2 miles upstream of the confluence with the Grande Ronde River will improve passage to 11.5 miles (combined) of habitat for chinook, steelhead and bull trout. The new culvert will meet ODFW criteria, withstand predicted flows from 100 year flood events, and have a native streambed within the structure. The culvert removal will result in a stream channel with gradients and channel dimensions similar to those up and downstream of the culvert. A temporary road will be constructed around the culvert during implementation and obliterated after installation. We will coordinate this temporary road, using an existing easement, with the private land owner.

Acres Modified: 1 acre (includes acreage modified for all of the above activities).

General Project Design Features:

Seeding

All areas disturbed by equipment will be seeded with a native grass/forb seed mix after project completion. Mulching would occur, where necessary, for erosion control.

Ground Cover

Apply a minimum of 65% effective ground cover to exposed soils.

Applicable Project Design Criteria (PDCs), Conservation Measures (CMs) associated with ARBO:

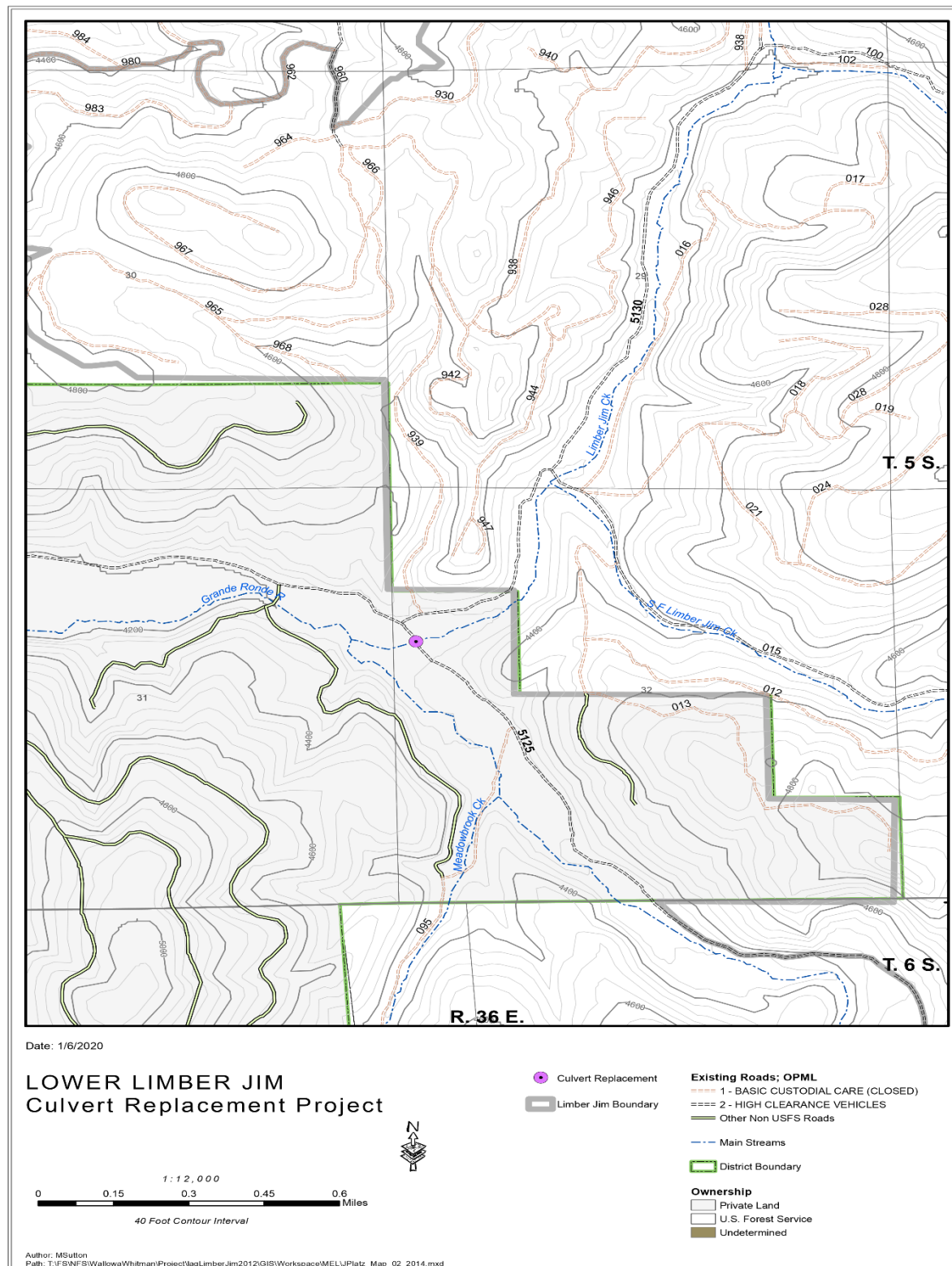
(1) Fish Passage Restoration – (i., ii., iii., vii.)

The General Aquatic Conservation Measures and all of the above PDCs will be adhered to and incorporated into the contract and/or force account work plans for the project.



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MAP(S)





PROPOSAL SCREENING

REGULATORY CONSIDERATIONS

Given the nature of the proposal, the Responsible Official is requesting documentation to demonstrate compliance with the following regulatory considerations in addition to NEPA:

- | | |
|---|---|
| <input checked="" type="checkbox"/> NFMA/Land Management Plan | <input checked="" type="checkbox"/> Tribal Consultation |
| <input checked="" type="checkbox"/> Endangered Species Act | <input checked="" type="checkbox"/> Clean Water Act |
| <input checked="" type="checkbox"/> Sensitive Species (FSM 2670) | <input checked="" type="checkbox"/> Pertinent Executive Orders |
| <input checked="" type="checkbox"/> National Historic Preservation Act | |

AGENCIES, ORGANIZATIONS & PERSONS TO BE CONTACTED

Given the nature of the proposal, the Line Officer/Responsible Official is requesting the following agencies, organizations and/or persons be contacted to provide input to, or to be made aware of, the proposal. A brief overview of feedback or comments provided is included.

State Historic Preservation Office (SHPO): 02/04/2020

Confederated Tribes of the Umatilla Indian Reservation (CTUIR), Nez Perce Tribe (NPT): 02/04/2020

United States Fish and Wildlife Service (USFWS): 12/17/2019

SUPPORTING PROJECT DOCUMENTATION

Table 1: Applicable Project File Documentation for Agencies, Organizations & Persons Contacted

Documentation Type	File Name (if applicable/needed)
SHPO, CTUIR, NPT	C:\Users\briannakcarollo\Box\01. brianna.carollo Workspace\lag2019SmallProjects\Lower Limber Jim Restoration
USFWS	C:\Users\briannakcarollo\Box\01. brianna.carollo Workspace\lag2020SmallProjects\Lower Limber Jim Culvert Replacement

RESOURCE PARTICIPATION IN ENVIRONMENTAL ANALYSIS REVIEW

The Line Officer/Responsible Official has requested the following resource areas to review the proposal to determine compliance with the regulatory considerations.

Table 2: Documentation of Review Completion

Resource	Review Complete
Botany	9/10/2020 Sabrina Smits
Cultural/Heritage	2/4/2020 Tony King
Engineering	11/24/2020 Richard Mills
Fisheries	12/17/2019 Joe Platz



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Resource	Review Complete
Hydro	12/7/2020 Dana Nave
Soils	11/24/2020 Mary Young
Wildlife	11/24/2020 Rachel Granberg

ENVIRONMENTAL ANALYSIS REVIEW

NATIONAL FOREST MANAGEMENT ACT (NFMA) – LAND MANAGEMENT PLAN CONSISTENCY

The pertinent specialist has reviewed the proposal and made the following determinations regarding proposal consistency with applicable Land Management Plan direction, standards and guidelines.

Botany: Consistent

Range: N/A

Cultural/Heritage: Consistent

Recreation: N/A

Engineering: Consistent

Scenic Resources: N/A

Fisheries: Consistent

Soils: Consistent

Fuels: N/A

Silviculture: N/A

Hydro: Consistent

Special Management Areas: N/A

Lands/Special Uses: N/A

Wildlife: Consistent

Minerals: N/A

ENDANGERED SPECIES ACT

THREATENED, ENDANGERED, PROPOSED AND CANDIDATE SPECIES &/OR CRITICAL HABITAT

The pertinent specialists reviewed the proposal and made the following determinations for threatened, endangered and/or proposed species:

Table 3: TEPC Effect Determinations for ESA

Species/Habitat	Status	Proposed or Designated Critical Habitat Present?	Determination*	Brief Rationale (or refer to other project documentation)
Snake River Basin Chinook salmon, summer steelhead, bull trout	Threatened	Yes	No Jeopardy	Long term beneficial effects from additional accessible habitat.

*NE – No Effect; NLAA – May Affect, Not Likely to Adversely Affect; LAA – May Affect, Likely to Adversely Affect; No Jeopardy - Not Likely to Jeopardize the Continued Existence or Adversely Modify Critical Habitat



SUPPORTING PROJECT DOCUMENTATION

Table 4: Applicable Project File Documentation to Support ESA Compliance

Documentation Type	File Name (if applicable/needed)
ARBOII	C:\Users\briannakcarollo\Box\01. brianna.carollo Workspace\lag2020SmallProjects\Lower Limber Jim Culvert Replacement

SENSITIVE SPECIES (FSM 2670)

The pertinent specialists reviewed the proposal and made the following determinations for sensitive species:

Table 5: Sensitive Species Impact Determinations

Species	Determination*	Rationale (or refer to other project documentation)
Redband trout	MIIH	Short term negative impacts, long term beneficial impacts
Columbia spotted frog	MIIH	Short term negative impacts, long term beneficial impacts

NI – No Impact; **MIIH**- May Impact Individuals or Habitat, but Will Not Likely Contribute To A Trend Towards Federal Listing Or Loss Of Viability To The Population Or Species; **WIFV** - Will Impact Individuals or Habitat with A Consequence That the Action May Contribute To A Trend Towards Federal Listing Or Cause A Loss Of Viability To The Population Or Species

SUPPORTING PROJECT DOCUMENTATION

Table 6: Applicable Project File Documentation to Support Agency Sensitive Species Compliance

Documentation Type	File Name (if applicable/needed)
ARBOII, Wildlife BE	C:\Users\briannakcarollo\Box\01. brianna.carollo Workspace\lag2020SmallProjects\Lower Limber Jim Culvert Replacement



NATIONAL HISTORIC PRESERVATION ACT (NHPA) – SECTION 106 REVIEW

The pertinent specialist has reviewed the proposal and made the following determination regarding Section 106 compliance:

No historic properties affected - 36 CFR 800.4(d)(1). Section 106 Review has been completed for the project area and no National Register eligible cultural sites were found.

SUPPORTING PROJECT DOCUMENTATION

Table 7: Applicable Project File Documentation to Support NHPA Compliance

Documentation Type	File Name (if applicable/needed)
SHPO Programmatic Agreement	C:\Users\briannakcarollo\Box\01. brianna.carollo Workspace\lag2019SmallProjects\Lower Limber Jim Restoration

TRIBAL CONSULTATION

Based on the nature of the proposal, the line officer/responsible official made the following determination regarding Tribal Consultation:

Consultation with American Indian Tribes has been initiated and is ongoing.

SUPPORTING PROJECT DOCUMENTATION

Table 8: Applicable Project File Documentation to Support Tribal Consultation Compliance

Documentation Type	File Name(s)
CTUIR – Information provided in 2019 Program of Work package and presented at December 17, 2019 meeting with CTUIR natural resource and cultural committees.	C:\Users\briannakcarollo\Box\01. brianna.carollo Workspace\lag2019SmallProjects\Lower Limber Jim Restoration
CTUIR and NPT – 02/04/2020 Section 106 Consultation packages submitted to tribes.	



CLEAN WATER ACT (CWA)

The pertinent specialist has reviewed the proposal and made the following determination:

This project will not adversely affect water quality in the long term.

SUPPORTING PROJECT DOCUMENTATION

Table 9: Applicable Project File Documentation to Support CWA Compliance

Documentation Type	File Name(s)
Permit with Army Corps of Engineers and DSL	AARS Database

PERTINENT EXECUTIVE ORDERS

The line officer and/or applicable specialist(s) have determined the proposal is in compliance with the following Executive Orders (EO), which were deemed pertinent based on the nature of the proposal.

- EO 11988, Floodplain Management
- EO 11990, Protection of Wetlands
- EO 12898, Environmental Justice
- EO 13007, Indian Sacred Sites
- EO 13112, Invasive Species
- EO 13175, Consultation & Coordination w/ Indian Tribal Governments
- EO 13186, Migratory Birds
- EO 13443, Facilitation of Hunting Heritage & Wildlife Conservation



NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) – EXTRAORDINARY CIRCUMSTANCE CONSIDERATIONS

Pertinent specialists have reviewed the proposal and made the following determinations with regards to presence of extraordinary circumstances:

Table 10: Extraordinary Circumstance Determinations

Resources Conditions Considered for Extraordinary Circumstances	Is there a degree of potential effect that raises uncertainty over its significance? Briefly explain. ¹
WILDLIFE Federally listed threatened or endangered species, Designated critical habitat, Forest Service sensitive species	NO, there is no uncertainty Rationale for Yes/No: This is a routine action with predictable effects.
FISHERIES Federally listed threatened or endangered species, Designated critical habitat, Forest Service sensitive species	NO, there is no uncertainty Rationale for Yes/No: This is a routine action with predictable effects.
BOTANY Federally listed threatened or endangered species, Designated critical habitat, Forest Service sensitive species	NO, there is no uncertainty Rationale for Yes/No: This is a routine action with predictable effects.
Floodplains, wetlands or municipal watersheds	NO, there is no uncertainty Rationale for Yes/No: This is a routine action with predictable effects.
Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas	N/A, not present
Inventoried roadless areas	N/A, not present
Research natural areas	N/A, not present
American Indians and Alaska	NO, there is no uncertainty

¹Be sure to provide resource context for rationale discussions. Is there something unique to this proposal or existing resource conditions that would lead to greater intensity of effects than would typically be anticipated for similar actions?



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Resources Conditions Considered for Extraordinary Circumstances	Is there a degree of potential effect that raises uncertainty over its significance? Briefly explain. ¹
Native religious or cultural sites	Rationale for Yes/No: No cultural properties were identified within the project area. If any are discovered during implementation, the site will be protected.
Archaeological sites, or historic properties or areas	NO, there is no uncertainty
	Rationale for Yes/No: No historic properties were identified within the project area. If any are discovered during implementation, the site will be protected.



DECISION MEMO

Lower Limber Jim Culvert Replacement

U.S. Forest Service

La Grande Ranger District, Wallowa-Whitman National Forest

Union County, Oregon

This decision incorporates all previous information in this document and included in the project file.

DECISION & RATIONALE

I have decided to authorize the activities described above in the [Proposal](#) section, to include any modifications identified during environmental analysis and review of regulatory compliance.

APPLICABLE CATEGORICAL EXCLUSION & FINDINGS REQUIRED BY OTHER LAWS

The [Proposal Information](#) section above provides rationale for categorically excluding this action from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) and for using CE authority found at 36 CFR 220.6(e)18. The [Environmental Analysis Review](#) section documents the finding that no extraordinary circumstances exist, along with findings required by other applicable laws and regulations, demonstrating compliance with the regulatory framework for the activities authorized by this decision.

AGENCIES, ORGANIZATIONS & PERSONS CONTACTED

A [list of agencies, organizations and/or persons contacted](#) regarding this proposal is provided above, along with a brief overview of comments/feedback received and how they were considered.

IMPLEMENTATION DATE

I intend to implement this decision within the 2021 instream work window from July 1-July 31.

ADMINISTRATIVE REVIEW

Decisions that are categorically excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) are not subject to an administrative review process (Agriculture Act of 2014 [Pub. L. No. 113-79], Subtitle A, Sec. 8006).

CONTACT

For additional information concerning this decision, contact:

Joe Platz, Fish Biologist, 3502 Hwy 30, La Grande, OR, 97850, 541-962-8571

December 11, 2020

Bill Gamble

District Ranger – La Grande Ranger District



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